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PATENT

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Kevin G. Rooney
Kevin G. Rooney, Reg. No. 36,330

10/29/03

Date

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GROUP 1700

Applicant(s): David Lohr et al
Application No.: 09/941,186
Filed: August 28, 2001
Group Art Unit: 1724
Confirmation No.: 5985
Examiner: Minh Chau Thi Pham
For: Incubator Having Combined HEPA and VOC Filter
Atty Docket No.: FSI-83

Cincinnati, Ohio

October 29, 2003

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF APPEALS (37 C.F.R. § 1.191)**

Applicants hereby appeal to the Board of Appeals from the decision of the Primary Examiner mailed July 30, 2003 finally rejecting claims 1-10 and 13-17.

The item(s) checked below are appropriate:

1. Status of Applicant

This application is on behalf of

other than a small entity.
 a small entity.

2. Fee for Filing Notice of Appeal

Pursuant to 37 C.F.R. § 1.17(b), the fee for filing the Notice of Appeal is:

<input type="checkbox"/>	small entity	\$165.00
<input checked="" type="checkbox"/>	other than a small entity	\$330.00

Notice of Appeal fee due \$330.00

3. Extension of Term

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136 apply.

(a) Applicants petition for an extension of time under 37 C.F.R. § 1.136 for the total number of months checked below:

Extension <u>(months)</u>	Fee for other than <u>small entity</u>	Fee for <u>small entity</u>
one month	\$ 110.00	\$ 55.00
two months	\$ 410.00	\$205.00
three months	\$ 930.00	\$465.00
four months	\$1,450.00	\$725.00
fifth month	\$1,970.00	\$985.00

Fee \$

 Attached is a check in the amount of \$ for the three month extension fee as required by 37 C.F.R. § 1.17(c). If an additional extension of time is required, please consider this a petition therefor.

(Check and complete the next item, if applicable)

 An extension for months has already been secured and the fee paid thereof of \$ is deducted from the total fee due for the total months of extension now requested. Extension fee due with this request \$.

OR

(b) X Applicants believe that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

3. Total Fee Due

The total fee due is:

Notice of Appeal fee \$330.00.
Extension fee (if any) \$_____.

Total Fee due \$330.00

4. Fee Payment

Attached is a check is the sum of \$330.00

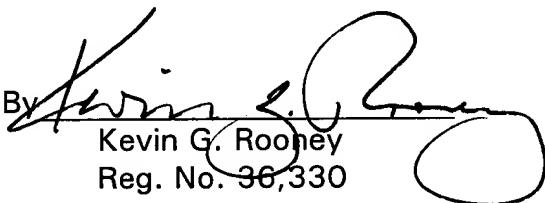
The Commissioner is hereby authorized to charge the amount of
\$_____ for the appeal fee to Deposit Account No. 23-3000.
A duplicate of this Notice is attached.

5. Fee Deficiency

Charge any additional fee required or credit any overpayment to
Deposit Account No. 23-3000. A duplicate of this Notice is
attached.

Respectfully submitted,

WOOD, HERRON & EVANS, L.L.P.

By 
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